

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kevin Ashby,

Civil No. 08-4693 (PAM/FLN)

Plaintiff,

v.

ORDER

Autumn Park Investment
Company, LLC, and
United Towing, Inc.,

Defendants.

This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Franklin L. Noel dated July 23, 2008. In the R&R, Magistrate Judge Noel recommends that the Court deny Plaintiff’s application to proceed in forma pauperis and dismiss this matter with prejudice. Plaintiff has not filed objections to the R&R in the time period permitted. Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s Application to Proceed Without Prepayment of Fees (Docket No. 2) is **DENIED**; and
2. This action is summarily **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Wednesday, August 13, 2008

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge